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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL
(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 5079P013

(maximum 12 characters)

First Named Inventor Tamir Tassa

Title: METHOD FOR ALLOCATING MEDIA UNIT SEQUENCES AMONG A PLURALITY OF OUTPUT CHANNELS

Express Mail Label No. EL617183410US

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, D. C. 20231

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. **Fee Transmittal Form (e.g., PTO/SB/17)**
(Submit an original, and a duplicate for fee processing)
2. **Applicant Claims Small Entity Status. (37 CFR 1.27)**
3. **Specification (Total Pages 30)**
(preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. **Drawings(s) (35 USC 113) (Total Sheets 3)**
5. **Oath or Declaration (Total Pages 4)**
 - a. Newly Executed (Original or Copy)
 - b. Copy from a Prior Application (37 CFR 1.63(d))
(for Continuation/Divisional with Box 17 completed)
 - i. DELETIONS OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
 - c. Unsigned.
6. **Application Data Sheet. (37 CFR 1.76)**
7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statement verifying identity of above copies

jc872 U.S. PTO
09/09/490

07/19/01

ACCOMPANYING APPLICATION PARTS

9. **Assignment Papers (cover sheet & documents(s))**

10. a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)

b. Power of Attorney

11. English Translation Document (if applicable)

12. a. Information Disclosure Statement (IDS)/PTO-1449

b. Copies of IDS Citations

13. **Preliminary Amendment**

14. **Return Receipt Postcard (MPEP 503) (Should be specifically itemized)**

15. Certified Copy of Priority Document(s) (if foreign priority is claimed)

16. **Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.**

17. Other: A copy of the postcard w/express mail stamp (1 pg.)

18A. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:

Applicant(s): Also include a Preliminary Amendment to amend the specification to claim priority.
For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18B. Statement under 37 CFR 3.73(b) for continuing application:

The undersigned states that _____ (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel. No. _____ Frame No. _____ (or a copy of which is attached).

19. Correspondence Address

NAME Tarek N. Fahmi

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

ADDRESS 12400 Wilshire Boulevard

Seventh Floor

CITY Los Angeles STATE California ZIP CODE 90025-1026

Country U.S.A. TELEPHONE (408) 720-8300 FAX (408) 720-8397

1. *What is the primary purpose of the study?*

Name (PRINT/TYPE): Tarek N. Fahmi Registration No.: 41,402
Signature: Tarek N. Fahmi Date: 7/19/01

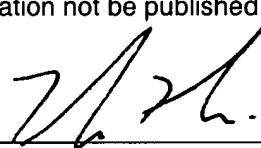
REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)

First Named Inventor Tamir TassaTitle METHOD FOR ALLOCATING MEDIA UNIT SEQUENCES AMONG A PLURALITY OF OUTPUT CHANNELSAttorney Docket No. 5079P013

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

7/19/01

Date



Signature

Tarek N. Fahmi

Typed or Printed Name

41,402

Registration No.

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months after the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Send to: Assistant Commissioner for Patents, Washington, D.C. 20231

FEE TRANSMITTAL FOR FY 2001

TOTAL AMOUNT OF PAYMENT (\$) \$751.00

Complete if Known:

Application No. Not Yet Assigned
 Filing Date Herewith
 First Named Inventor Tamir Tassa
 Group Art Unit Not Yet Assigned
 Examiner Name Not Yet Assigned
 Attorney Docket No. 5079P013

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666
 Deposit Account Name

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed: Check
 Credit Card
 Money Order
 Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity				
Fee	Fee	Fee	Fee		
Code	(\$)	Code	(\$)		
101	710	201	355	Fee Description	
106	320	206	160	Utility application filing fee	<u>\$355</u>
107	490	207	245	Design application filing fee	<u></u>
108	710	208	355	Plant filing fee	<u></u>
114	150	214	75	Reissue filing fee	<u></u>
				Provisional application filing fee	<u></u>

SUBTOTAL (1) \$ 355.002. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims <u>64</u>	<u>- 20** = 44</u>	<u>X \$ 9</u>	<u>= \$396</u>
Independent Claims <u>1</u>	<u>- 3** = 0</u>	<u>X \$40</u>	<u>= \$ 0</u>
Multiple Dependent			<u>=</u>

**Or number previously paid, if greater; For Reissues, see below.

Large Entity	Small Entity				
Fee	Fee	Fee	Fee		
Code	(\$)	Code	(\$)		
103	18	203	9	Fee Description	
102	80	202	40	Claims in excess of 20	
104	270	204	135	Independent claims in excess of 3	
109	80	209	40	Multiple dependent claim, if not paid	
110	18	210	9	**Reissue independent claims over original patent	
				**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) \$ 396.00

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code (\$)	
105	130	205	Surcharge - late filing fee or oath
127	50	227	Surcharge - late provisional filing fee or cover sheet
139	130	139	Non-English specification
147	2,520	147	For filing a request for ex parte reexamination
112	920*	112	Requesting publication of SIR prior to Examiner action
113	1,840*	113	Requesting publication of SIR after Examiner action
115	110	215	Extension for reply within first month
116	390	216	Extension for reply within second month
117	890	217	Extension for reply within third month
118	1,390	218	Extension for reply within fourth month
128	1,890	228	Extension for reply within fifth month
119	310	219	Notice of Appeal
120	310	220	Filing a brief in support of an appeal
121	270	221	Request for oral hearing
138	1,510	138	Petition to institute a public use proceeding
140	110	240	Petition to revive – unavoidable
141	1,240	241	Petition to revive - unintentional
142	1,240	242	Utility issue fee (or reissue)
143	440	243	Design issue fee
144	600	244	Plant issue fee
122	130	122	Petitions to the Commissioner
123	50	123	Processing fee under 37 CFR 1.17(q)
126	180	126	Submission of Information Disclosure Stmt
581	40	581	Recording each patent assignment per property (times number of properties)
146	710	246	For filing a submission after final rejection (see 37 CFR 1.129(a))
149	710	249	For each additional invention to be examined (see 37 CFR 1.129(b))
179	710	279	Request for Continued Examination (RCE)
169	900	169	Request for expedited examination of a design application
195	300	195	Publication fee for early, voluntary, or normal publication
196	300	196	Publication fee for republication
194	130	194	Request for voluntary publication or republication
098	130	098	Processing fee under 37 CFR 1.17(i)
091	1,240	091	Acceptance of unintentionally delayed claim for priority

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$ 0.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Tarek N. FahmiSignature: 7/19/01 Date: 7/19/01Reg. Number: 41,402 Telephone Number: 408.947.8200

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Serial/Patent No.: ********* Filing/Issue Date: **Herewith**

Client: **BIGBAND NETWORKS, INC.**

Title: **METHOD FOR ALLOCATING MEDIA UNIT SEQUENCES AMONG A PLURALITY OF OUTPUT CHANNELS**

BSTZ File No.: **5079P013** Atty/Secty Initials: **TNF/pab**

Date Mailed: **7/13/01** Docket Due Date: _____

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

Amendment/Response (____ pgs.) Express Mail No.: **EL617183410US** Check No. **286**
 Appeal Brief (____ pgs.) (in triplicate) _____ Month(s) Extension of Time Amt. **\$751.00**
 Application - Utility (30 pgs., with cover and abstract) Declaration/Statement & PTO-1449 (2 pgs.) Check No. _____
 Application - Rule 1.53(b) Continuation (____ pgs.) Issue Fee Transmittal Amt. _____
 Application - Rule 1.53(b) Divisional (____ pgs.) Notice of Appeal _____
 Application - Rule 1.53(b) CIP (____ pgs.) Petition for Extension of Time _____
 Application - Rule 1.53(d) CPA Transmittal (____ pgs.) Petition for _____
 Application - Design (____ pgs.) Postcard _____
 Application - PCT (____ pgs.) Power of Attorney (____ pgs.)
 Application - Provisional (____ pgs.) Preliminary Amendment (____ pgs.)
 Assignment and Cover Sheet Reply Brief (____ pgs.)
 Certificate of Mailing (Express Mail) Response to Notice of Missing Parts
 Declaration & POA (4 pgs.) (Unsigned) Small Entity Declaration for Indep. Inventor/Small Business
 Disclosure Docs & Org & Copy of Inventor Signed (____ pgs.) Transmittal Letter, in duplicate (2 pgs.)
 Drawings: **3** # of sheets includes **3** figures Fee Transmittal, in duplicate (2 pgs.)

 Other: **Request and Certification Under 35 USC 122(b)(2)(B)(i) (1 pg)**
and References cited onto PTO-1449 (1 pg.) and a copy of the
postcard w/express mail stamp.

"Express Mail" mailing label number: **EL617183410US**

Date of Deposit: **July 19, 2001**

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231

Patricia A. Bales
 (Typed or printed name of person mailing paper or fee)

Patricia A. Bales
 (Signature of person mailing paper or fee)

7/19/01
 (Date signed)